



Attorney Docket: 26352U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Art Unit: 1638
TSUKAYA, et al. Examiner: Unknown
Appl. No.: ~~10/546,198~~ 10/507106
Filed: September 10, 2004
Title: **GENE PARTICIPATING IN THE SYNTHESIS OF BRASSINOSTEROID**

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

[XXX] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

[] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.

The enclosed statement is accompanied by [check one]:

- [] i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or
[] ii. a check in the amount required by 37 C.F.R. 1.17(p).

[] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.

- [] Certification report(e) below; and
[] a check in the amount as required by 1.17(p).

[] d. The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

[] e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

[] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,
or

[] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

[] Appropriate certification is attached.

[XXX] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[XXX] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

[] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

and / or

[] Copies of US Patents/Publications not attached as
allowed in Official Gazette Aug. 5, 2003/ Vol.
1273, no. 1.

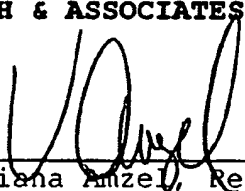
The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Date: November 27, 2005

Respectfully submitted,
NATH & ASSOCIATES PLLC

By: _____


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 PATENT
 TSUKAGAWA et al.
 Application No:
 10/507,106

Filed:
 September 10, 2004

Art Unit:
 1638

Examiner:
 Unknown

FORM PTO-1449

INFORMATION DISCLOSURE CITATION**U.S. PATENT DOCUMENTS**

Examiner Initial	Document Number	Issue / Publication Date	Inventor	Filed
A1				
A2				
A3				
A4				

FOREIGN PATENT DOCUMENTS

	Document Number	Publication Date	Country	Translation
A5				
A6				
A7				
A8				
A9				
A10				
A11				
A12				

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

A13	XP-002967779: Kim, G, et al., "Changes in the shapes of leaves and flowers upon overexpression of cytochrome P450 in <i>Arabidopsis</i> ", <u>Proc. Natl. Acad. Sci. USA</u> , vol. 96, pages 9433-9437, (1999).
A14	XP-002967780: Kim, G, et al., "The ROTUNDIFOLIA3 gene of <i>Arabidopsis thaliana</i> encodes a new member of the cytochrome P-450 family that is required for the regulated polar elongation of leaf cells", <u>Genes & Development</u> , vol. 12, pages 2381-2391, (1998).
A15	XP-002036941: Szekeres, M, et al., "Brassinosteroids Rescue the Deficiency of CYP90, a Cytochrome P450, Controlling Cell Elongation and De-etiolation in <i>Arabidopsis</i> ", <u>Cell</u> , vol. 85, pages 171-182, (1996).
A16	

Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.